

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**DAVID L. COLLEY and  
SHARNEAL COLLEY**

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**PLAINTIFFS**

v.

**Civil Action No. 1:07cv1175HSO-JMR**

**CSX TRANSPORTATION, INC.**

**DEFENDANT**

**FINAL JUDGMENT**

This action came on for trial before the Court and a jury on the 8<sup>th</sup> day of June, 2009, and concluding on the 12<sup>th</sup> day of June, 2009, Honorable Halil Suleyman Ozerden, United States District Judge, presiding, and the issues having been duly tried and the jury having heard all of the evidence and argument of counsel and receiving instructions of the Court, including a Special Verdict Form, retired to consider their verdict and returned upon their oaths, into open Court, the following unanimous verdict, to wit:

**Question Number One:**

Do you find by a preponderance of the evidence that Defendant CSX Transportation, Inc. was negligent, and that such negligence, if any, proximately caused or contributed to cause Plaintiff David Colley to suffer damages?

Please answer yes or no: \_\_\_\_\_ “no” \_\_\_\_\_

**IT IS, THEREFORE, ORDERED AND ADJUDGED**, that judgment is hereby rendered in favor of Defendant CSX Transportation, Inc.

**SO ORDERED AND ADJUDGED**, this the 12<sup>th</sup> day of June, 2009.

*s/ Halil Suleyman Ozerden*

HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE